

Assembly Bill No. 1085

Passed the Assembly September 8, 2009

Chief Clerk of the Assembly

Passed the Senate September 2, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 39601.5 to the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1085, Mendoza. State Air Resources Board: regulations.

Existing law creates the State Air Resources Board and gives to the state board various duties relating to reducing emissions of air pollutants, including emissions of greenhouse gases.

This bill would require the state board to make available to the public each technical, theoretical, and empirical study, report, or similar document, if any, on which the agency relies, related to, but not limited to, air emissions, public health impacts, and economic impacts, before the comment period for any regulation proposed for adoption by the state board.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature in enacting this act to ensure that the public is provided sufficient information so that interested parties may easily and without undue effort reproduce and verify all aspects of state board staff analysis, related to, but not limited to, air emissions, public health impacts, and economic impacts, performed during the development of a regulation. Nothing in this act is intended to supersede the provisions of the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) or the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

SEC. 2. Section 39601.5 is added to the Health and Safety Code, to read:

39601.5. (a) The state board shall make available to the public all information described in paragraph (2) of subdivision (b) of Section 11346.2 of the Government Code, related to, but not limited to, air emissions, public health impacts, and economic

impacts, before the comment period for any regulation proposed for adoption by the state board.

(b) In meeting the requirement of subdivision (a), the state board shall not release proprietary, confidential, or otherwise legally protected business information. The state board shall release information in aggregated form, where necessary, to protect proprietary, confidential, or otherwise legally protected business information.

Approved _____, 2009

Governor